



# USAF Legislative Liaison Congressional Hearing Resume 106<sup>th</sup> Congress; Second Session

**SUBJECT:** Hearing on DoD Chemical Agents and Munitions Destruction Program

**COMMITTEE:** HASC Subcommittee on Military Procurement

**CHAIRMAN:** The Honorable Duncan Hunter

**DATE:** 21 Sep 00

**MEMBERS PRESENT:**

**REPUBLICANS**

Duncan Hunter (CA)  
Jim Hansen (UT)

Bob Riley (AL)  
Greg Walden (OR)

**DEMOCRATS**

Norm Sisesky (VA)

Ellen Tauscher (CA)

**WITNESSES: (3 Panels/18 Witnesses)**

**Pre-Panel Statement by Sen Jeff Sessions (AL)**

**PANEL 1 - Tooele Incident Report -- 8 witnesses (May 8 2000 accidental chem agent release at incinerator in Tooele, UT)**

- Ms Cheryl Maggio, Site Support Team Leader, Program Mgr for Chemical Demilitarization
- Mr Mike Rowe, EG&G Facility Mgr
- Dr Kevin Yeskey, Center for Disease Control
- Col Kevin Connors, Army Safety Office
- Dr Dennis Downs, Director, Dept of Environmental Quality, Div of Solid and Hazardous Waste
- Dr David Kosson, Committee on Review and Evaluation of Army Chemical Stockpile Disposal Program
- Mr Tim Garrett, Deputy Project Mgr
- Dr John Ferriter, Director, Ops, Remediation, & Restoration

**PANEL 2 – Local community concerns – 4 witnesses – county officials from UT and AL**

- Commissioner Garry Griffith, Tooele County (UT)
- Ms Kari Sagers, Director of Emergency Mgmt, Tooele County (UT)
- Mr James Henderson, Calhoun County Commissioner (AL)
- Mr Mike Burney, Calhoun County Emergency Mgmt (AL)

**PANEL 3 – Programmatics – 6 DoD witnesses**

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- Dr Anna Johnson-Winegar, DATSD (CBD)
- Dr Gloria Patton, DASA/CD
- Dr Denzel fisher, Special Asst to DASA/ESOH
- Mr James Bacon, Army Program Mgr for Chemical Demilitarization
- Dr John Ferriter, Director, Ops, Remediation & Restoration
- Mr Russ Salter, FEMA

**Prepared by:** Lt Col Denise I. Schultz, SAF/LLP, 703-697-6790

## **EXECUTIVE SUMMARY**

The subcommittee met to “come to grips with” what happened during the accidental chemical release on May 8 at the Tooele, UT weapons incineration plant. Generally, there were 3 issues: safety, trust in the Army, and community impact funds.

All witnesses and members agreed that safety is the number one concern and that any accident is unacceptable. CM Riley (AL) and CM Hansen (UT) disagreed on the degree to which we needed to “panic” and proceed with or delay the incineration process. But all agreed that the munitions need to be destroyed and that the Army/contractor need to have good communication with the communities.

Except CM Riley, witnesses and members agreed that the stored munitions pose a greater risk than accidents like Tooele because they are leaking/unstable. “What if an F-16 hit those igloos?” Or an earthquake or fire?

CM Riley and CM Walden adamant that the Army promised the communities impact funds and they deserve impact funds. Army is saying that there is “no statutory basis...[by which they can pay the communities impact funds] for socio-economic impact”; however, when CM Riley asked Dr Patton (DASA/CD) if the Army/administration would support authorization/appropriation legislation for those funds, Dr Patton said she couldn’t speak to that.

**The hearing was called to order at 0900.**

## **OPENING REMARKS**

### **Chairman Hunter**

- Summarized program for stockpiled munitions/chemical agents destruction (Chemical Weapons Treaty – should be complete Apr 29, 2007) Started in '85 as \$1.7B program-- 15.3B today
- Destruction must be accomplished with maximum safety for the environment, the workers and the citizens of the community
- Tooele accident is a concern since we were assured no accident possible
- While the Army gave out press releases on the accident, it neglected to say that it took them over 4 hrs after they recognized the chemical release to notify the local emergency agency

- Need to answer the questions: What was the cause of the accident? What are we doing about it? What are the implications for other communities that have or are building incinerators?

#### **CM Sisesky**

- Primary motivation for hearing is understanding events of May 8 and the implications
- Need a limited review of the overall chemical demilitarization program
- Timely destruction remains priority – risk of maintaining stockpile increases with time

#### **CM Hansen**

- Sometimes Congress over-reacts--Don't waste time and money on lawsuits/redundancy
- If there's a better way (than incineration) "then tell me!"
- Conclusion: At no time was anyone or the environment in any danger; the plant is fine; and the bad news is that it was avoidable
- Utah has most of the chemical agents – Utah will get the job done safely

#### **CM Riley**

- "We're doing it wrong! I hope there's a better way."
- Army lost trust of Anniston community; lost community support
- Believes there are still flaws in the system and the training procedures
- Believes Anniston has different concerns than Tooele as Anniston is populated community..."nearest thing to Tooele is antelopes...."

#### **CM Walden**

- Incinerator at Permiston, OR is 85% complete – need to make sure comm links to community are in place
- Area rural, but community nearby – enormous growth but no money/support for community infrastructure – need impact funds

#### **Sen Sessions**

- "Every dangerous event must be thoroughly investigated!"
- Slow initial response of Army resulted in erosion of support and confidence of credibility of the Army
- Army did not follow its own guidelines
- Before Anniston destruction starts in 2002, every plan must be in place
- Summarized Anniston's trials from '95 BRAC – needs/entitled to and promised impact funds
- 4 Greatest Concerns: 1. Safety is non-negotiable; 2. The Emergency Mgmt Agency says the program is in trouble; 3. Evacuation plans must be exercised (to include fed/state/local officials); 4. Community must get impact funds/fees

### **STATEMENTS/QUESTIONS/COMMENTS/OBSERVATIONS**

Witnesses basically introduced themselves. The Q&A is summarized in the executive summary. By the 3<sup>rd</sup> panel, the CMs were saying they would submit questions in writing for the record because another hearing was supposed to start at 1300.

### **TASKINGS**

- None for USAF
- Subcommittee will work the issue of restarting incinerations
- DoD members took back many questions for the record, and CMs were planning to submit many questions for the record.

**The hearing concluded at 1305.**